HOUSE No. 1885 [LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Geraldine Creedon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act authorizing the lease of conservation land in the town of Easton for agricultural purposes and to establish the Tufts Farm Maintenance Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Geraldine Creedon	11th Plymouth
Christine E. Canavan	10th Plymouth
David L. Flynn	8th Plymouth
Brian A. Joyce	Norfolk, Bristol and Plymouth
Thomas P. Kennedy	Second Plymouth and Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

An Act authorizing the lease of conservation land in the town of Easton for agricultural purposes and to establish the Tufts Farm Maintenance Fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 <u>SECTION 1.</u> The town of Easton acting by and through its conservation commission, may lease certain parcels
- 2 of conservation land with buildings thereon for the purpose of conducting an agricultural use of the property.
- 3 Notwithstanding section 3 of chapter 40 of the General Laws, the lease may be for such terms of years not to exceed
- 4 10 years and on such terms and conditions as the conservation commission may determine. The parcel of land is
- 5 identified as Tufts Farm located at 108 Canton Street as shown on Assessors Map 6U, Parcel 8 and the adjacent
- 6 parcel of conservation land located off Bay Road as shown on Assessors Map 10U Parcel 10 hereinafter referred to
- 7 collectively as Tufts Farm.
- 8 SECTION 2. Notwithstanding any general or special law to the contrary, the town of Easton may establish the
- 9 Tufts Farm Maintenance Fund to receive and expend funds, without further appropriation, to operate, maintain,
- 10 manage and improve Tufts Farm at the direction of the town conservation commission under section 8C of chapter
- 11 40 of the General Laws.
- 12 SECTION 3. Notwithstanding sections 53 and 53A of chapter 44 of the General Laws, the income received by
- 13 the commission including, but not limited to, the proceeds from the lease of Tufts Farm shall be deposited into the
- 14 fund. The treasurer, who shall be the custodian of the fund, may invest and deposit the funds as provided in section
- 8C of chapter 40 of the General laws and any income derived from such funds shall be credited to the account. The
- funds shall be available to the commission, without further appropriation, to maintain and improve Tufts Farm.
- 17 Maintenance and improvement costs for Tufts Farm may include, but shall not be limited to: (a) land management
- surveys and mapping; (b) property improvements including trail establishment or improvement, parking, trash
- 19 pickup and the protection and development of wildlife and plant habitats; (c) maintenance of the house, barn and
- other structures; (d) legal and other professional or consulting services; (e) improvement and maintenance of the
- property and buildings for educational purposes, including classes, walks, lectures, demonstrations and related
- expenses; and (f) improvement and maintenance of the buildings and land so that the area may be used for farming
- 23 including, but not limited to, growing crops and hay, gardening and raising animals.
- 24 SECTION 4. The commission may establish and adopt operating standards and performance criteria for work done
- 25 in connection with Tufts Farm, which may include, but shall not be limited to, restrictions on the nature and method
- of work performed, such as those related to seasonal or weather-related conditions, methods of stream crossings,
- stone wall repairs and the use of oil or other toxic or harmful material.

- 28 <u>SECTION 5.</u> The commission may enter into contracts to carry out this act. The commission may include in a
- 29 contract a requirement that it not be held liable with respect to claims, injuries, costs, damages or other relief arising
- out of, or related to, the subject matter of the contract. The commission may require a person performing labor or
- 31 services to maintain liability insurance and performance bonds. The standards and criteria adopted by the
- 32 commission under section 4 may be incorporated into contracts entered into by the commission under this section.
- 33 <u>SECTION 6.</u> The commission may receive gifts from any source and appropriations from the town of Easton for
- 34 deposit into the fund.
- 35 SECTION 7. The funds accumulated before the effective date of this act from the sources listed in section 3 shall be
- 36 transferred to the fund.
- 37 <u>SECTION 8.</u> The town accountant shall annually audit the fund and submit a copy of the audit to the board of
- selectmen. The board of selectmen shall publish the audit in the town's annual report.
- 39 SECTION 9. Nothing in this act shall limit the powers and authority of the commission or limit or deny the
- 40 commission any rights, power or authority granted by any general or special law or by-law of the town of Easton.
- 41 <u>SECTION 10</u>. This act shall take effect upon its passage.
- 42 or take any action in respect thereto